IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.671 OF 2006
IN
WRIT PETITION NO.1028 OF 1994

Bhagwandin Sajram & Ors. ..Petitioners

Vs.

The Municipal Corporation of Greater
Bombay and Ors. ..Respondents

Mr.Yadunath Chaudhari i/b. S.R.Borulkar for the
Petitioners.
Mr.Mahadik for Respondent No.1 BMC.
Mr.M.J.Shetty for Respondent Nos.2 and 3.

CORAM :- DR.S.RADHAKRISHNAN &
SMT.V.K.TAHILRAMANI,JJ.

DATE : 1ST DECEMBER, 2006

P.C.

1. Heard the learned Counsel for the Petitioners, the learned Counsel for Respondent No.1 and the learned Counsel for Respondent Nos.2 to 4. By this Notice of Motition, the Petitioners are seeking recall of our order dated 7th November,2006 whereby the above Petition has been dismissed in default. Persued the affidavit-in-support of the Notice of Motition, sufficient cause is made out. There is no case of inaction, negligence or want of bonafide on the part of the Petitioners. In view thereof, Notice of Motion is made absolute in terms of prayer clause(a).

2. Place the above Petition on board for final hearing on 18th December,2006.

(DR.S.RADHAKRISHNAN,J.)

(SMT.V.K.TAHILRAMANI,J.)